



60,427-081; 1999P7948US01

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J.D.
2/6/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Daly

Serial Number: 09/670,779

Filed: September 27, 2000

Group Art Unit: 2644

Examiner: Pendleton, Brian T.

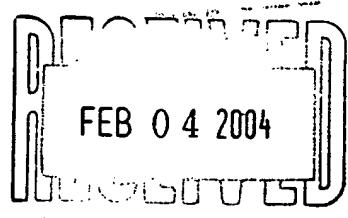
Title: Active Noise Cancellation System With Integrated Horn Function

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

FEB 03 2004

Technology Center 2600



REQUEST FOR RECONSIDERATION

Dear Sir:

Reconsideration of the office action mailed 19 December 2003 is requested. Applicant does appreciate the indication of allowability for claims 3 and 8.

First, applicant is submitting a Supplemental Declaration, and asks that this Declaration replace that originally on file. Further, applicant is submitting formal drawings. Again, it is asked that these drawings replace those as originally filed.

The rejection of claims 1, 4-7 and 9 is contested.

The examiner combines the McDonald, et al. reference with Reighard, et al. The examiner's position seems to be that since McDonald, et al. adds some sounds through its active noise control system, the addition of a horn function had been suggested.

This combination relies on hindsight, and hindsight alone. The McDonald, et al. reference discloses a way of providing engine and engine-related noises to make a "low performance vehicle" sound more like a "high performance vehicle." Thus, the related vehicle noises are those intended to provide the appearance of additional vehicle power. Nothing in McDonald, et al. suggests

providing other functions within the vehicle through the active noise cancellation system. Of course, all active noise cancellation systems are directed to engine noise.

Reighard, et al. adds nothing to the combination. It is not applicant's position that it invented the concept of a vehicle horn. In fact, as Reighard, et al. shows, vehicle horns have typically been stand-alone items.

Nothing in Reighard, et al. would suggest utilizing the active noise control system to provide the horn sound. Reighard, et al. would suggest utilizing a separate horn, as has always been utilized in the prior art.

Thus, reconsideration of the rejection is requested. Allowance of all claims is in order.

Respectfully submitted,



Theodore W. Olds, Reg. No. 33,080
Carlson, Gaskey & Olds
400 W. Maple Road, Ste. 350
Birmingham, MI 48009
(248) 988-8360

Dated: January 21, 2004

CERTIFICATE OF MAIL

I hereby certify that the enclosed Response is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 28 day of January, 2004.



Laura Combs